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July 30, 2003

Rebecca Stewart
Sanitary Engineering Associate
California Regional Water Quality Control Board
San Diego Region
9174 Sky Park Court, Suite 100
San Diego, CA 92123

Dear Ms. Stewart:

We are very concerned about the lack of cooperation from Pioneer Builders regarding the CAO and the ACL that have been issued by the San Diego Regional Water Board.

It has been 167 days since the issuance of the first "Notice of Violation No. R9-2003-0091. As of this date, Pioneer Builders has failed to provide the proper documentation for the issuance of a 401 Permit. At the last hearing, we stated that this is a stall tactic that Pioneer uses to claim economic infeasibility. Yet, their project continues unabated.

When Pioneer appealed CAO R-9-2003-0158, Mark McGuire, Attorney for Pioneer, mislead the board on many items. We feel the Board made their determination based on Mr. McGuire's misstatements. Our presentation will disprove his comments in their entirety. Hopefully, the Board will see fit to modify the amount of the ACL.

Based on the events of today, Pioneer Builders flagrantly violated the California Clean Water Act yet again. Everyone knew that a storm was coming. The radio, television and newspaper all predicted it. Yet, Pioneer failed to initiate proper BMP's. We request that another ACL be issued for this violation.

If another ACL is not issued, we request that the Board change the dollar amount of the fine per day and consider adding additional days to the ACL based on this violation today.

Thank you for your cooperation regarding this matter. I look forward to seeing you at the hearing on August 13, 2003.

Sincerely,
Pam R. Tappan

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